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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,996	09/18/2006	Nicolas Gerardus Antonius Peeters	NL 040336	3034
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EXAMINER				
SNYDER, ZACHARY J				
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2889				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/598,996

Applicant(s)

PEETERS ET AL.

Examiner

Zachary Snyder

Art Unit

2889

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4, 12 and 13 is/are rejected.
7) ☒ Claim(s) 5-11 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date 4/25/2007
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,080,019 to Coushaine in view of U.S. Patent 4,785,218 to Kohl et al. and in further view of U.S. PG Publication 2002/0003391 A1 to Tsuda et al.

In regard to claim 1, Coushaine discloses in figure 1, an assembly of a capped high-pressure discharge lamp and a lamp holder, the capped high-pressure discharge lamp comprising:

an outer envelope (32, figure 1) in which a discharge vessel is arranged around a longitudinal axis (shown in figure 1),

the outer envelope (32) having a pinched portion (shown in figure 1) supporting the discharge vessel via the first and second current-supply conductors (lead wires 30, figure 1),

the pinched portion being provided with a clamping member (segment 88, figure 1) surrounding the pinched portion with a clamping fit,

a lamp cap (nose 74) having a base portion (72) and a substantially circular-cylindrical cup-shaped portion (58) for receiving the clamping member (88),

the cup-shaped portion (58) being provided with a protruding collar (flange 62),

the base portion being provided with a first and a second contact member projecting beyond the cup-shaped portion (three protrusions 230 that receive the lead wires, shown in figures 8, 10, and 11, COL. 7, LINES 39-40), the first and second current-supply conductors (lead wires 232 and 234, COL. 7, LINE 42) being electrically connected to the first and second contact members (by contact end 240, COL. 7, LINE 49), respectively,

the lamp holder (22) comprising:

a base portion (not labeled, shown in figure 1) and a substantially circular-cylindrical flange (38) for receiving the cup-shaped portion (58) of the capped high-pressure discharge lamp (shown in figure 1),

the base portion being provided with first and second (contacts 24 and 26) connection means, wherein

the flange (38) of the lamp holder (22) receives the cup-shaped portion (58) of the capped high-pressure discharge lamp such that the flange (38) engages the protruding collar (62) of the cup-shaped portion (58) and the first and second contact members (24 and 26) make electrical contact with the first and second connection means (shown in figures 3 and 12 (280 in figure 12)), respectively.

Coushaine does not disclose the tolerances of the flange and cup shape portion.

Kohl teaches the assembly of lamp base wherein the cup like structure (10) receiving the pinched end (16) of the lamp envelope (12) is placed into a flange (20).

Kohl teaches that it is important to have a close tolerance fit of these parts in order to achieve a lamp that is prefocused and maintains this setting.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Coushaine and Kohl before him or her, to have the close tolerance fit claimed since Kohl has taught that this is known in the art for achieving a lamp that is prefocused and maintains the desired setting (COL. 3, LINES 48-54).

Coushaine does not teach all the parts of the inner workings of the bulb itself.

Tsuda teaches a discharge lamp wherein the discharge vessel (bulb 33, figure 1) is enclosing, in a gastight manner, a discharge space provided with an ionizable filling (starter rare gas is sealed within, paragraph 36),

the discharge vessel having a first connection portion and a second (38 a and b) opposite connection portion through which a first and a second current-supply conductor (39a and b), respectively, extend to a pair of electrodes (37a and 37b) arranged in the discharge space (figure 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the parts taught by Tsuda in the lamp taught by Coushaine in order to construct a conventional discharge lamp that can be employed as a vehicle headlamp.

Coushaine also does not disclose that the lamp cap has an insulating material.

Tsuda teaches that the cup shaped lamp cap (plug 2) that receives the mounted end of the envelope comprises an insulated portion. Tsuda teaches that the portion receiving the end of the lamp envelope is an insulator (paragraph 30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form this receiving member disclosed by Coushaine of an insulating material as

taught by Tsuda in order to have increased molding precision (abstract) which will then allow for low tolerance for coupled parts.

In regard to claim 2, Coushaine in view of Kohl and Tsuda teach the limitations of claim

1. Tsuda teaches the importance of a close tolerance for forming parts so it would be obvious to one of ordinary skill in the art at the time of the invention to form the assembly with the claimed tolerances for the flange and cup-shaped portion for the same reasons detailed in regard to claim 1.

In regard to claim 3, Coushaine in view of Kohl and Tsuda teach the limitations of claim

1. Coushaine teaches that the clamping member (segment 88) is provided with a substantially circularly-cylindrical engagement portion (portion 72, figure 1) for fixing the clamping member in the cup-shaped portion (shown in figure 1).

In regard to claim 12, Coushaine in view of Kohl and Tsuda teach the limitations of claim

- 1.

Kohl teaches the assembly of lamp base wherein the cup like structure (10) receiving the pinched end (16) of the lamp envelope (12) is placed into a flange (20).

Kohl teaches that it is important to have a close tolerance fit of these parts in order to achieve a lamp that is prefocused and maintains this setting.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Coushaine and Kohl before him or her, to have the close tolerance fit claimed since Kohl has taught that this is known in the art for achieving a lamp that is prefocused and maintains the desired setting (COL. 3, LINES 48-54).

In regard to claim 13, Coushaine in view of Kohl and Tsuda teaches the limitations of claim 1.

Kohl teaches the assembly of lamp base wherein the cup like structure (10) receiving the pinched end (16) of the lamp envelope (12) is placed into a flange (20).

Kohl teaches that it is important to have a close tolerance fit of these parts in order to achieve a lamp that is prefocused and maintains this setting.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Coushaine and Kohl before him or her, to have the close tolerance fit claimed since Kohl has taught that this is known in the art for achieving a lamp that is prefocused and maintains the desired setting (COL. 3, LINES 48-54).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,080,019 to Coushaine in view of U.S. Patent 4,785,218 to Kohl et al. and in further view of U.S. PG Publication 2002/0003391 A1 to Tsuda et al. as applied to claim 1 above, and further in view of U.S. Patent 3,885,149 to Wolfe et al.

In regard to claim 4, Coughaine in view of Kohl and Tsuda teach the limitations of claim 1 but do not teach that the cap and flange are made of metal.

Wolfe teaches an electric lamp assembly wherein the cap 32 that receives the clamp is made of metal and the flange (38) that receives the cap is also made of metal (element 32 is welded to inner wall of sleeve 38, COL. 2, LINES 24-27).

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having these teachings before him or her to construct the cap and flange of metal in order to weld these two pieces together and form a secure structure as taught by Wolfe.

Allowable Subject Matter

Claims 5-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In regard to claim 5, which claims 6-11 are dependent from, applicant claims a resilient means provided between a cylindrical, insulating body and the flange of the lamp holder. U.S. Patent 4,864,183 to Okana teaches in figure 1, a resilient means 29 that is used to create a tight seal between two connecting parts. Likewise, Coughaine teaches in figure 4 a resilient means 162 that is also used to create a tight seal between two connecting parts. However, there is no prima facie case of obviousness for placing the resilient means between an insulating cylindrical body and the flange of the lamp holder wherein the cylindrical body is arranged with clearance in the base portion of the lamp holder.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary Snyder whose telephone number is (571)270-5291. The examiner can normally be reached on Monday through Thursday, 7:30AM to 6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Karabi Guharay/
Primary Examiner, Art Unit 2889

/Zachary Snyder/
Examiner, Art Unit 2889